

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. IMPROVED DISTRIBUTION OF CONSTRUCTION PAYMENTS.

Section 8007(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)) is amended--

(1) in paragraph (1), by striking `40 percent' and inserting `80 percent';

(2) in subparagraphs (A) and (B) of paragraph (2), by striking `50 percent' each place it appears and inserting `40 percent';

(3) in paragraph (2) by adding at the end the following new subparagraphs:

8003(b)(2). (C) The agency is eligible under section

Section 8003(a)(2)(C). ' and (D) The agency is eligible under

(4) by striking paragraph (3) and inserting the following:

(3) AMOUNT OF PAYMENTS- The amount of a payment to each local educational agency described in this subsection for a fiscal year shall be--

(A) not less than the greater of the amount appropriated as provided under paragraph (1) for such fiscal year; divided by--

`(i) the number of children determined under subparagraphs (B), (C), and (D)(i) of section 8003(a)(1) who were in average daily attendance for all local educational agencies described in paragraph (2), including the number of children attending a school facility described in section 8008(a) if the Secretary does not provide assistance for the school facility under that section for the fiscal year; multiplied by

`(ii) the number of children determined for such agency; or

`(B) \$25,000.'.

SEC. 2. COMPETITIVE EMERGENCY AND MODERNIZATION GRANTS.

Section 8007(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)) is amended--

(1) in paragraph (1)
by striking `60 percent' and inserting `20 percent';

(2) in
paragraph (3)(C)(i)(I) by striking `the agency meets at least one' and all that follows, and
inserting `the number of children determined under section 8003(a)(1)(C) for the agency for the
preceding school year constituted at least 40 percent of the total student enrollment in the
schools of the agency during the preceding school year.';

(3) by
striking paragraph (3)(D)(ii)(II) and inserting the following:

`(II) The number of children determined under section 8003(a)(1)(C) for the school for the preceding school year constituted at least 40 percent of the total student enrollment in the school during the preceding school year.'; and

(4) in paragraph (4)(C) by striking `(B), (C), and (D)' and inserting `and (C)'.

